

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 06-2997 JNE/JJG**

Walid El-Baz Abdelwahab
Alice Abdelwahab

**PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT
AGAINST DEFENDANTS**

Plaintiffs

v.

Denise Frazier, District Director,
Citizenship & Immigration Services;
Eduardo Aguirre, Director,
Citizenship & Immigration Services
Michael Chertoff, Secretary,
Department of Homeland Security;
Alberto Gonzales, United States
Attorney General

Defendants

Plaintiffs Walid El-Baz Abdelwahab and Alice Abdelwahab hereby move the Court, pursuant to Fed. R. Civ. P. 56, for an Order:

1. Declaring that Defendants' August 16, 2002 decision to deny the Form I-130 marriage petition for Mr. Abdelwahab was unlawful, oppressive, and an arbitrary and capricious abuse of power.
2. Declaring that Defendants' action in revoking approval of the employment-based Form I-140 petition for Mr. Abdelwahab is unlawful, oppressive, and an arbitrary and capricious abuse of power.

3. Instructing Defendants and their agents to reinstate the approval of the Form I-140 petition for Mr. Abdelwahab forthwith.
4. Awarding attorney's fees and costs under the Equal Access to Justice Act (EAJA), 23 U.S.C. §2412, and whatever other relief the Court finds is just and equitable.

This motion is based upon Plaintiffs' summary judgment memorandum and supporting exhibits; the other documents on file with the Court; and upon oral argument to be presented at the hearing on the motion.

Dated: Tuesday, July 31, 2007

s/Herbert Igbanugo
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